

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2023 ND 211

Neil Adam McGinnis,

Petitioner and Appellant

v.

State of North Dakota,

Respondent and Appellee

No. 20230119

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable James S. Hill, Judge.

AFFIRMED.

Per Curiam.

Leo P. O'Day, Fargo, N.D., for petitioner and appellant; submitted on brief.

Robert N. Togni, Assistant State's Attorney, Bismarck, N.D., for respondent and appellee; submitted on brief.

McGinnis v. State
No. 20230119

Per Curiam.

[¶1] Neil McGinnis appeals from a district court order denying his petition for postconviction relief. On appeal, he argues the district court erred when it found that he made no coherent argument as to why a parole officer’s testimony was perjured and that his attack on the officer’s credibility was made without any admissible supporting evidence. Findings of fact made in a postconviction relief proceeding are subject to the clearly erroneous standard of review. *Bridges v. State*, 2021 ND 232, ¶ 5, 968 N.W.2d 188. After a full review of the record, we conclude the district court’s findings are not clearly erroneous. We summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Jon J. Jensen, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte
Douglas A. Bahr